

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA ,
FILED
for Charlottesville
MAR 30 2006

JOHN F. CORBORAN, CLERK
BY: *Fay Coleman*
DEPUTY CLERK

VAN DER LINDE HOUSING, INC.,
d/b/a Container Rentals

Plaintiff,

v.

RIVANNA SOLID WASTE AUTHORITY,

Defendant.

CIVIL ACTION No. 3:05-CV-00076

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ADJUDGED and ORDERED

that Plaintiff is granted leave to amend its complaint within fifteen (15) days in order to state a claim that Defendant's treatment of the unspecified municipal waste haulers described in the complaint constituted a violation of the Equal Protection Clause of the United States Constitution. Plaintiff's leave to amend is limited to this to this narrow ground, and if it does not amend its complaint within this time, Defendant's Motion to Dismiss shall be granted.

It is so ORDERED.

The Clerk is hereby directed to send a copy of this Order and accompanying Memorandum Opinion to all counsel of record.

ENTERED: Nann E. Moa
U.S. District Judge
March 30, 2006
Date